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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,345	12/04/2003	Shih-Fu Chang	A31067-PCT-USA	8618
21003	7590	12/24/2009	EXAMINER	
BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA 44TH FLOOR NEW YORK, NY 10112-4498			RAO, ANAND SHASHIKANT	
			ART UNIT	PAPER NUMBER
			2621	
			NOTIFICATION DATE	DELIVERY MODE
			12/24/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DLNYDOCKET@BAKERBOTTS.COM

<b>Office Action Summary</b>	<b>Application No.</b> 10/728,345	<b>Applicant(s)</b> CHANG ET AL.	
	<b>Examiner</b> Andy S. Rao	<b>Art Unit</b> 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/5/09.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16-27 is/are pending in the application.
- 4a) Of the above claim(s) 19-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

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## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/5/09 has been entered.

2. Applicant's arguments filed on 4/9/09 with respect to claims 16-18 have been fully considered but they are not persuasive.

3. The Applicant presents two substantive argument contending the Examiner's pending rejection of claims 16-18 under 35 U.S.C. 102(b) as being anticipated by Arman et al., (hereinafter referred to as "Arman"), as was set forth in the Office Action of 12/10/08. However, after a careful consideration of the arguments presented, and further scrutiny of the applied Arman reference, the Examiner must respectfully disagree, and maintain the applicability of the reference as the basis of the grounds of rejection that follow.

After establishing the legal basis for the Applicant's argument (Amendment of 10/5/09: page 9, lines 14-21), presenting the salient features of the instant invention as claimed (Amendment of 10/5/09: page 10, lines 1-12), providing applicant's synopsis of the applied Arman reference (Amendment of 10/5/09: 13-23; page 11, lines 1-20), the Applicant's argue that the rejection fails to address "...said created frame playable during playback of scenes of video information..." as in the claims (Amendment of 10/5/09: page 11, lines 21-23). The Examiner respectfully disagrees. It is duly noted that the reference discloses that the Rframes are

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abstractions (Arman: column 6, lines 40-44). However, as abstractions, the Rframes are viewable by user (Arman: column 6, lines 25-28), and further the Examiner notes that Arman clearly discloses viewable (i.e. playable) during the playback of the video sequence as a navigational aid in content based browsing (i.e. video sequence playback) as in the claims (Arman: column 6, lines 51-67; column 7, lines 1-18). Accordingly, the Examiner maintains that the limitation remains met.

Secondly, the Applicant's argue that that the Rframes are not created "...in a dissolve region from said DCT coefficients of said last outgoing frame and said first incoming frame..." as in the claims (Amendment of 4/9/09: page 11, lines 24-29; page 12, lines 1-12). The Examiner respectfully disagrees. The Examiner notes that an Rframe reads upon the "... first frame..." of the instant invention because the Rframe is a frame generated across the interval of frames in a shot region (Arman: column 9, lines 47-57). When the shot region contains a dissolve as a scene change and when DCT coefficients from the frames in the shot region as used to represent features of the shot (Arman: column 5, lines 35-60; column 7, lines 25-35) in an Rframe, the "...creating a first frame in a dissolve region from said DCT coefficients of said last outgoing frame and said first incoming frame..." is met.

A detailed rejection addressing the newly added limitation follows.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Arman et al., (hereinafter referred to as "Arman").

Arman discloses a method for dissolving an incoming scene of video information which comprises a sequence of fields or frame of compressed video information and an outgoing scene of video information which comprises a sequence of fields or frame of compressed video information (Arman: column 4, lines 20-37) using a computer based authoring and editing module (Arman: column 7, lines 10-20), comprising the steps of: applying DCT domain motion inverse compensation to obtain DCT coefficients for all blocks of video information which make up a last frame of said outgoing video scene (Arman: column 5, lines 35-57); applying DCT domain inverse motion compensation to obtain the DCT coefficients for all blocks of video information which make up the first frame of said incoming video scene (Arman: column 6, lines 30-45); and creating a first frame in a dissolve region from said DCT coefficients of said last outgoing frame and said first incoming frame (Arman: column 6, lines 55-67), said created frame playable during playback of scenes of video information (Arman: column 6, lines 23-27, 40-44, and 50-67; column 7, lines 1-20), as in claim 16.

Regarding claim 17, Arman further comprising the step of choosing an initial value for a weighing function prior to step (Arman: column 12, lines 1-32), as in the claim.

Regarding claim 18, Arman further comprising the steps of incrementing said weighting function value (Arman: column 13, lines 1-10); and creating a second frame in said dissolve region from said DCT coefficients of said last outgoing frame and said first incoming frame

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using said incremented weighing function value (Arman: column 13, lines 10-50), as in the claim.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao  
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Art Unit 2621

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December 17, 2009